

Application No.: 10/538,319
Amendment Dated July 25, 2008
Reply to Office Action of April 25, 2008

MAT-8706US

Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 3, 22 and 23. These sheets replace the original sheets.

Remarks/Arguments:

Figures 3, 22 and 23 were objected to for not being labeled as Prior Art. These figures have been appropriately amended.

Claims 1-25 are pending in the above-identified application. Claims 1-5, 7-18 and 22-25 have been withdrawn from consideration. New claims 26 and 27 have been added.

Claims 6 and 21 were rejected under 35 U.S.C. § 102 (b) as being unpatentable over Newell. It is respectfully submitted, however, that the claims are now patentable over the art of record for the reasons set forth below. Applicants' invention, as recited by claim 6, includes features which is neither disclosed nor suggested by the art of record, namely:

... first fixed ends provided to the vibration body at a constant pitch ...
... second fixed ends provided to the electrode at the constant pitch in the same direction with the first fixed ends,
wherein the second fixed ends of the electrode are arranged deviated relative to the first fixed ends of the vibration body by half of the constant pitch.

Basis for these amendments may be found, for example, in the specification at page 26, lines 12-20, page 28, line 11 to page 29, line 27 and Fig. 11A.

Applicant's exemplary embodiment includes vibration body 1 having first fixed ends 7 and electrode 2 having second fixed ends 7 (Fig. 11A). As shown in Figure 11A, the first fixed ends 7 are in the same direction with the second fixed ends 7. Figs. 21A to 21D are views showing a fabrication process according to the embodiment shown in Fig. 11. (Page 28, lines 11-13). The vibration body shown in Figs. 21A-21D become vibration body 1 and electrode 2 of Fig. 11A. The vibration body shown in Figs. 21A-21D is formed using holes 15a and 15b arranged at a constant pitch along a length of the vibration body. (Page 28, lines 22-24). That is, Applicant's exemplary embodiment discloses "... first fixed ends provided to the vibration body at a constant pitch ..." and "... second fixed ends provided to the electrode at the constant pitch in the same direction with the first fixed ends," as recited in claim 6.

Further, electrode 2 is deviated by half of the length of the vibration body 1 in the x-direction shown at Fig. 11A. (Page 26, lines 16-20). That is, Applicant's exemplary

embodiment discloses "... the second fixed ends of the electrode are arranged deviated relative to the first fixed ends of the vibration body by half of the constant pitch," as recited in claim 6.

Newell discloses a vibration body 50 and an electrode 57 (Fig. 6). Newell does not disclose or suggest, however, that ends of the electrode 57 are arranged deviated relative to the ends of the vibration body 50 by half of the constant pitch. Thus, Newell does not disclose or suggest "... the second fixed ends of the electrode are arranged deviated relative to the first fixed ends of the vibration body by half of the constant pitch," as recited in claim 6.

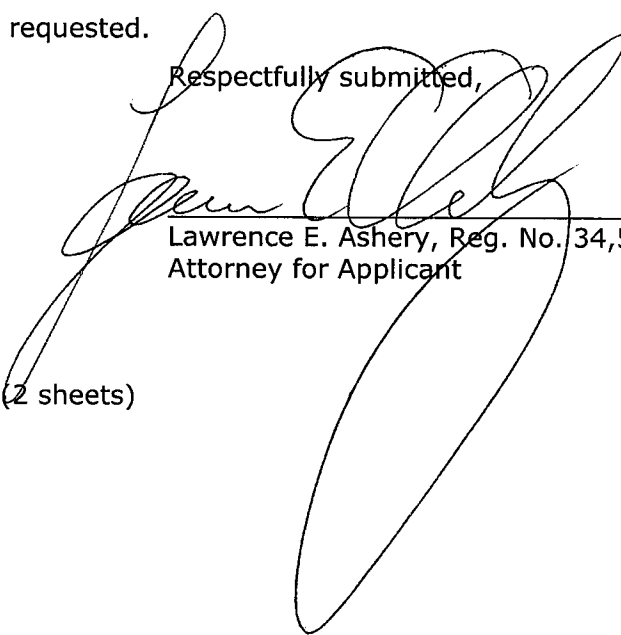
Thus, claim 6 is allowable over the art of record. Claim 21 depends from claim 6. Accordingly, claim 21 is also allowable over the art of record.

The Office Action indicates that claims 19 and 20 would be allowable if amended to include all the limitations of their base claim. Claims 19 and 20 have been amended accordingly. Thus, claims 19 and 20 are allowable over the art of record.

New claims 26 and 27 have been added. Basis for new claim 26 may be found in original claim 19. Basis for new claim 27 may be found in original claim 20. No new matter has been added.

In view of the foregoing amendments and remarks, this Application is in condition for allowance which action is respectfully requested.

Respectfully submitted,


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LEA/dmw

Attachment: Figures 3, 22 and 23 (2 sheets)

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